

September 3, 2014



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**EXCEPTION**

Arizona Corporation Commission  
Docket Control  
1200 W. Washington St.  
Phoenix, AZ 85007

AZ CORP COM  
DOCKET CONTROL

2014 SEP 9 AM 11:18

RE: EXCEPTIONS TO RECOMMENDATIONS OF THE ADMINISTRATIVE LAW JUDGE BELINDA MARTIN, IN APPLICATION OF HALCYON ACRES ANNEX NO.2 WATER COMPANY FOR APPROVAL OF DELETION OF TERRITORY FROM ITS CERTIFICATE OF CONVENIENCE AND NECESSITY

DOCKET NO. W-02312A-13-0326

**ORIGINAL**

Intervenor: (Charles) Jonathan Kent

I believe that decimation of any small public utility should receive careful consideration of the Arizona Corporation Commission, and should be allowed to proceed, only as a last resort. The removal of ten percent (10%) of a utility's service territory from its CC&N, as requested in the Application, is precisely that – a decimation. The Commission's Staff has repeatedly expressed how the viability of a utility, which is in the public interest, can be put at risk by such a deletion. Clearly, the Corporation Commission is entrusted with promoting the viability of utilities serving Arizona's public.

At the June 12, 2014 Public Hearing in this case, testimony<sup>1</sup> established that neither of the applicants considered technical alternatives, which could make this deletion unnecessary and avoidable. Unfortunately, Administrative Law Judge Martin did not specifically address this possibility, in her Recommendations.

I am both a shareholder and a residential customer of the Utility and therefore have an interest in how this deletion may affect our water company, over the long-term.

I hereby certify that a copy of this letter has been mailed to attorneys representing Halcyon Acres Annex No. 2 Water Company, Inc., and Presidio Trails Development, LLC.

Sincerely,

(Charles) Jonathan Kent  
9066 E 20th Street  
Tucson, Arizona 85710  
(520)722-3016

Arizona Corporation Commission  
**DOCKETED**

SEP 9 2014

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CC: Arizona Corporation Commission (13)

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